

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

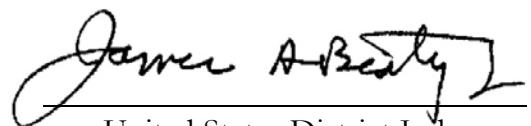
<b>TRI-CON, INC., MICHAEL MERRICK,</b>	)	
<b>GERALD PIZZINI, DOUGLAS FABISH,</b>	)	
<b>FRANK JACKSON, JEMMIE ALMUETE,</b>	)	
<b>THOMAS PITTS, SHIRLEY CARREY</b>	)	
<b>BALDT, JOHNNY WATERMAN,</b>	)	
<b>DOUGLAS SMITH, CAROL SMITH,</b>	)	
<b>CHRISTOPHER PHILLIPS, GILMORE</b>	)	
<b>SWEITZER, REBECCA EUBANKS,</b>	)	
<b>JODY SHELLITO, ARTURO</b>	)	
<b>RODRIGUEZ, and JACK FLANNIGAN,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>1:06CV577</b>
	)	
<b>VOLVO TRUCKS NORTH AMERICA,</b>	)	
<b>INC., a Delaware Corporation,</b>	)	
	)	
<b>Defendant.</b>	)	

**O-R-D-E-R**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on November 5, 2008, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that Defendant's motion for sanctions [Docket No. 89] against Plaintiffs' counsel pursuant to Rule 11 or 28 U.S.C. § 1927 be **DENIED** and that the request of Plaintiffs' counsel for costs be **DENIED**. Defendant's motion for Rule 37 sanctions remains pending before the Court.



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United States District Judge

Date: January 14, 2009